



CERTIFICATE OF MAILING 37 C.F.R. 1.10

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name of Person Signing Certificate: Holly Tuvman

Date

02/04/2004

Signature

Holly Tuvman

MAIL STOP AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

CHAOYING ZHAO

Filed: November 15, 2000

Serial No.: 09/713,498

For: NOVEL PHARMACEUTICAL
COMPOSITIONS FOR
TREATING AND SAVING AND
THE PREPARATION THEREOF

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Confirmation No.: 4672

Art Unit: 1616

Examiner: John D. Pak

Docket No.: 014938.0003

Customer No.: 01200

NOTICE OF APPEAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 4, 2003 of the examiner finally rejecting claims 20-25, 27, 28, and 30 of the above-referenced application for patent. The Commissioner is hereby authorized to charge the appeal fee of \$165.00 to Deposit Account No. 16-2435. A duplicate copy of the Fee Transmittal sheet is enclosed.

RECEIVED

FEB 9 - 2004

TECH CENTER 1600/2900

02/06/2004 HVUONG1 00000014 162435 09713498

01 FC:2401 165.00 DA

Respectfully submitted,



Charles M. Cox, Reg. No. 29,057
ATTORNEY OR AGENT OF RECORD

Date: Feb. 4, 2004

AKIN GUMP STRAUSS HAUER & FELD, LLP
711 Louisiana Street
1900 Pennzoil Place – South Tower
Houston, Texas 77002
Telephone: (713) 220-5800
Facsimile: (713) 236-0822

FEE TRANSMITTAL
FEB 04 2004
For FY 2004
 Patent fees are subject to annual revision

Complete if Known

Application Number 09/713,498
 Filing Date November 15, 2000
 First Named Inventor CHAOYING ZHAO
 Examiner Name John D. Pak
 Group / Art Unit 1616
 Attorney Docket No. 014938.0003

Total Amount of Payment \$ 165.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
 Deposit Account No.: 16-2435
 Deposit Account Name:
Akin Gump Strauss Hauer & Feld, LLP
☒ Charge any additional Fee Required Under 37 CFR §§ 1.16 & 1.17
☐ Applicant claims small entity status.
 See 37 CFR 1.27

2. ☐ Payment Enclosed: ☐ Check
☐ Money Order
☐ Credit Card
☐ Other

FEE CALCULATION

1. Basic Filing Fee

| Large Fee Code | Large Entity Fee (\$) | Small Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------|-----------------------|----------------|-----------------------|------------------------|----------|
| 1001 | \$770 | 2001 | \$385 | Utility Filing Fee | \$ |
| 1002 | \$340 | 2002 | \$170 | Design Filing Fee | \$ |
| 1003 | \$530 | 2003 | \$265 | Plant Filing Fee | \$ |
| 1004 | \$770 | 2004 | \$385 | Reissue Filing Fee | \$ |
| 1005 | \$160 | 2005 | \$ 80 | Provisional Filing Fee | \$ |
| Subtotal (1) | | | | | \$ |

2. Extra Claim Fees

| Claims | Extra | Fee (below) | Fee Paid |
|--------------------|---------|-------------|----------|
| Total | -20** = | x \$ | = \$ |
| Indep. | -3** = | x \$ | = \$ |
| Multiple Dependent | | | \$ |

**or number previously paid, if greater.

For Reissues, see below

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------------------------------------------|
| \$ 18 | \$ 9 | Claims in excess of 20 |
| \$ 86 | \$ 43 | Independent claims in excess of 3 |
| \$ 290 | \$ 145 | Multiple dependent claim, if not paid |
| \$ 86 | \$ 43 | **Reissue independent claims over original patent |
| \$ 18 | \$ 9 | **Reissue claims in excess of 20 and over original patent |
| Subtotal (2) | | \$ |

FEE CALCULATION (continued)

3. Additional Fees

| Large Fee Code | Large Entity | Small Fee Code | Small Entity | Fee Description | Fee Paid |
|----------------|--------------|----------------|--------------|----------------------------------------------------------------------------|----------|
| 1051 | \$ 130 | 2051 | \$ 65 | Surcharge - late fee or oath | \$ |
| 1052 | \$ 50 | 2052 | \$ 25 | Surcharge - late provisional filing fee or cover sheet | \$ |
| 1812 | \$2,520 | 1812 | \$2,520 | Request for Reexamination | \$ |
| 1804 | \$920* | 1804 | \$920* | Requesting publication of SIR prior to Examiner action | \$ |
| 1805 | \$1840* | 1805 | \$1840* | Requesting publication of SIR after Examiner action | \$ |
| 1251 | \$ 110 | 2251 | \$ 55 | Extension for reply within first month | \$ |
| 1252 | \$ 420 | 2252 | \$ 210 | Extension for reply within second month | \$ |
| 1253 | \$ 950 | 2253 | \$ 475 | Extension for reply within third month | \$ |
| 1254 | \$1,480 | 2254 | \$ 740 | Extension for reply within fourth month | \$ |
| 1255 | \$2,010 | 2255 | \$1,050 | Extension for reply within fifth month | \$ |
| 1401 | \$ 330 | 2401 | \$ 165 | Notice of Appeal | \$ 165 |
| 1402 | \$ 330 | 2402 | \$ 165 | Filing a brief in support of an appeal | \$ |
| 1403 | \$ 290 | 2403 | \$ 145 | Request for oral hearing | \$ |
| 1452 | \$ 110 | 2452 | \$ 55 | Petition to revive - unavoidable | \$ |
| 1453 | \$1,330 | 2453 | \$ 665 | Petition to revive - unintentional | \$ |
| 1501 | \$1,330 | 2501 | \$ 665 | Utility issue fee (or reissue) | \$ |
| 1502 | \$ 480 | 2502 | \$ 240 | Design issue fee | \$ |
| 1503 | \$ 640 | 2503 | \$ 320 | Plant issue fee | \$ |
| 1460 | \$ 130 | 1460 | \$ 130 | Petitions to the Commissioner | \$ |
| 1807 | \$ 50 | 1807 | \$ 50 | Petitions related to provisional applications | \$ |
| 1806 | \$ 180 | 1806 | \$ 180 | Submission of Information Disclosure Statement | \$ |
| 8021 | \$ 40 | 8021 | \$ 40 | Recording each patent assignment per property (times number of properties) | \$ |
| 1809 | \$ 770 | 2809 | \$ 385 | Filing a submission after the election (37 CFR 1.290) | \$ |
| 1801 | \$ 770 | 2801 | \$ 385 | Request for Continued Examination (RCE) | \$ |
| 1802 | \$ 900 | 1802 | \$ 900 | Request for expedited examination of a design application | \$ |

Other fee (specify):

\$

Other fee (specify):

\$

* Reduced by Basic Filing Fee Paid

Subtotal (3)

\$ 165

Submitted by

Charles M. Cox, Reg. No. 29,057

Date:

Feb. 4, 2004